

REMARKS

Status of Claims:

Claims 1-2, 4 and 6-28 remain for examination.

Prior Art Rejection:

Claims 1-2, 4 and 6-11 stand rejected under 35 U.S.C. § 103 as obvious over Mitsuo in view of Arai and newly cited Clise (5,797,091). It is pointed out that the examiner has written the wrong patent number in the rejection as stated in paragraph 4 (page 2) of the outstanding office action. The examiner has cited "Mitsuo (US patent no. 5,577,902)" whereas the examiner apparently intended to cite patent 5,757,902. This is the second time this error has occurred in spite of the fact that applicant pointed out this error in the prior Reply.

The examiner's rejections are respectfully traversed.

The examiner cites Mitsuo for a basic teaching of plural mobile units in a private branch exchange system. The examiner states that "each" of the mobile units has a plurality of extension telephone numbers (008b, 008a, 006d of Fig. 1). As pointed out in applicant's prior Reply, this is clearly incorrect. While the plural extensions are assigned to the plural mobile units, each of the mobile units only has one extension. Unfortunately the examiner has not addressed this point in either the prior office action nor the instant office action.

The examiner correctly recognizes that Mitsuo does not teach the plurality of different line keys physically present on each mobile unit for selecting among the plurality of extension numbers. For this teaching, the examiner points to the Arai patent.

The examiner points to Arai Figures 3 and 13 and to column 3, lines 1-16 and column 7, line 62- column 11, line 7.

On column 3, lines 1-16 Arai states:

FIG. 3 is a block diagram of the mobile units 109 to 114. A telephone transmitter 302 and a telephone receiver 301 are

connected to a transmission/reception unit 304 through an audio processing circuit 303. The audio processing circuit 303 and transmission/reception unit 304 are controlled by a control unit 305. Information from a ten-key 309 and a speech button 312 are supplied to the control unit 305. Control data between the fixed unit and the mobile unit is transmitted and received between the control unit 305 and the fixed unit through a modem 306, the audio processing circuit 303, the transmission/reception unit 304, and an antenna 310. ID is stored in a ROM 307 and is read by the control unit 305. A power source is supplied from a battery 308. Reference numeral 310 denotes the antenna which is used to transmit and receive a radio signal and 311 indicates a display unit to display various states of the telephone including the telephone number. (Emphasis added).

Further, at column 10, line 62 to column 11, line 7, Atai states:

When the display request button 315 is depressed (S4001), the control unit 305 of the mobile unit requests the corresponding fixed unit so as to connect the radio channel (S4002). When the radio channel cannot be connected (S4003) due to absence of a free channel or the like, a connection failure is notified (S4007).

When the radio channel can be connected, the control unit 205 of the fixed unit sends the data of the connected line to the mobile unit through the radio line (S4004). The control unit 305 of the mobile unit discriminates the data (S4005) and lights on the diode of the dial key of the same number as the connected external line number, thereby notifying to the user (S4006). (Emphasis added).

In each instance, it may be seen that Arai does **not disclose a plurality** of different line keys which are **separate and distinct from the numeric keypads** wherein the line keys are physically present on the mobile station and actuatable by an operator for selecting among the plurality of extension number for making a call as recited in applicant's claims. As such, the Arai does not teach the missing limitations not found in the primary reference of Mitsuo. It is thus submitted that the PTO has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103, and thus applicants claims are patentable over the prior art.

It is also pointed out herein, that Applicant's invention is specifically directed to mobile units or mobile stations. As such, the mobile units would presumably correspond to

the mobile units 109-114 of Arai and not to the extension telephones 103-105. Moreover, while Arai teaches that a **plurality of extension numbers are present for the plurality of extension telephones and fixed units** (fixed units 106, and 107) Arai shows that **each mobile unit only has a single speech button** 312 as well as a **keypad** 309 for inputting the outgoing call number. The speech button 312 is also utilized to receive a call as explained in the flow chart in Figure 7 and in column 4 beginning at line 10. The **display unit** 311 of Arai is simply that, namely a display and **is not a plurality of keys**. Arai also utilizes his numeric keypad to select among incoming extensions and, according to the key construction shown in Fig. 14 of Arai, uses the keypad to display an extension line through the LEDs 502. Column 8, lines 36-39.

The simplest way to **understand the differences** between applicant's invention and the Arai reference is to **compare applicant's Figure 2 with Arai's Figure 4**. Applicant's Figure 2 shows **a plurality of line keys 12** (actuatable by an operator for making a call) which is **notably absent in Figures 3 and 4 of Arai**. The line keys 12 are not to be confused with the display 15 of applicant which is also shown in applicant's Figure 2. In contrast, Arai merely has a display 311 and does not have any line keys unless the speech button 312 of Fig. 4 could be considered a single line key or the speech button 313, speech end button 314 or display button 2315 of Fig. 13 could be considered line key buttons. Apparently, the examiner has so interpreted applicant's claims, even though the **Arai disclosure makes it clear that these button do not function as line keys buttons**.

Applicant notes the examiner's reference to column 7, lines 38-43. In this portion of Arai, it is stated:

The key to select and capture the external line upon reception or holding is not limited to the ten-key 309 but an **exclusive key** may be also provided. Even by such a construction, since the display unit is also commonly used, the area of the operating section can be effectively used and the erroneous operation can be prevented.

By the "exclusive key" it may be assumed that the key is used exclusively for selecting and capturing an external line. When plural lines are being received, the display is

used in a time sharing mode to permit sequential display of each incoming line as explained at column 4, lines 61-67 to wit:

When there are a plurality of reception external lines, the control unit 205 of the fixed unit sends a display command of the first reception external line number through the radio line and, thereafter, sends a display command of the second reception external line number. The mobile unit time-sharingly displays the numbers of the plurality of external lines which have received.

See also column 5, lines 49-59 for a similar teaching to time sharing of the display.

Thus, when plural lines are displayed in a time sharing mode, the user must use the exclusive key at the time when the desired line is being displayed. For call transfers, , one would presumably use the numeric keypad and not the exclusive key.

In contrast, applicant utilizes a **plurality** of different line keys for selecting among any one of the **corresponding plurality of external numbers**. It is not necessary to utilize the display to sequentially display the different incoming extensions and to exactly time the use of **a single exclusive key** to connect to the currently displayed extension. Applicant's recitation of **the plurality of different like keys** corresponding to the plurality of extension numbers and the further recitation that these line keys are separate and distinct from the numeric keypad clearly **differentiates applicant's invention from the combined teachings of the prior art**.

The addition of the Clise patent does nothing to supply the missing ingredients and defects of the primary Mitsuo and secondary reference of Arai. Indeed, the Clise patent's use of distinct buttons is to affect a speed dial function such as calling the user's home or office. These buttons are not disclosed as being able to select among any of a plurality of extension numbers for making a call. As such, It is thus submitted that the PTO has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103, and thus applicants claims are patentable over the prior art.


Conclusion:

It is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 3, 2006

By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

David A. Blumenthal
Attorney for Applicant
Registration No. 26,257